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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,692	09/29/2003	Kyle K. Kirby	2269-5665US (02-1291.00/U	4168

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EXAMINER	
ESTRADA, MICHELLE	
ART UNIT	**PAPER NUMBER**
2823	

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/673,692	KIRBY, KYLE K.	
	Examiner	Art Unit	
	Michelle Estrada	2823	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 February 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4-6,8,9,11,12,14-16,18,20,22,23,25 and 26* is/are rejected.

7)☒ Claim(s) *3,7,10,13,17,19,21,24 and 27* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *9/29/03*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4, 11, 14 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Oswald et al. (2002/0011641).

Re claim 1, Oswald et al. disclose providing a semiconductor substrate (134); and ablating one or more depressions (126) in a surface of the semiconductor substrate to define the at least one electrical pathway.

Re claim 4, Oswald et al. disclose wherein providing the semiconductor substrate comprises providing a silicon (134) on insulator substrate (114).

Re claim 11, Oswald et al. disclose providing a semiconductor substrate (134); and substantially simultaneously ablating one depression (126) in a surface of the semiconductor substrate to define the at least one conductive element and ablating at least one conductive structure precursor in the semiconductor substrate to define the at least one conductive structure (See fig. 2d).

Re claim 14, Oswald et al. disclose wherein providing the semiconductor substrate comprises providing a silicon (134) on insulator substrate (114).

Re claim 22, Oswald et al. disclose providing a semiconductor substrate (134); and ablating one or more depressions (126) in a surface of a sidewall of the semiconductor substrate to define the at least one electrical conneciton.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2, 5, 6, 12, 15, 16 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oswald et al. as applied to claims 1, 4, 11, 14 and 22 above, and further in view of Farnworth et al. (2004/0043607).

Oswald et al. do not disclose planarizing the electrically conductive material at least to the surface of the semiconductor substrate to laterally isolate the electrically conductive material in the one or more depressions.

Re claim 2, Farnworth et al. disclose depositing an electrically conductive material (36) over the surface of the semiconductor substrate and into the one or more depressions; and planarizing the electrically conductive material at least to the surface of the semiconductor substrate to laterally isolate the electrically conductive material in the one or more depressions (Page 4, Paragraph [0033]).

It would have been within the scope of one of ordinary skill in the art to combine the teachings of Oswald et al. and Farnworth et al. to enable the planarizing step of Farnworth et al. to be performed in the process of Oswald et al. because it will remove the excess metal leaving the depressions filled with inlaid metal forming the wiring ([0033]).

Re claim 5, Oswald et al. disclose wherein depositing the electrically conductive material over the surface of the semiconductor substrate comprises depositing a metal (Paragraph [0047]).

Re claim 6, Oswald et al. disclose wherein depositing the at least on of the metal over the surface of the semiconductor substrate comprises depositing a metal selected from the group consisting of aluminum, titanium, silver, platinum, and molybdenum (Paragraph [0047]).

Re claim 12, Farnworth et al. disclose depositing an electrically conductive material (36) over the surface of the semiconductor substrate and into the one or more depressions; and planarizing the electrically conductive material at least to the surface of the semiconductor substrate to laterally isolate the electrically conductive material in the one or more depressions (Page 4, Paragraph [0033]).

Re claim 15, Oswald et al. disclose wherein depositing the electrically conductive material over the surface of the semiconductor substrate comprises depositing a metal (Paragraph [0047]).

Re claim 16, Oswald et al. disclose wherein depositing the at least on of the metal over the surface of the semiconductor substrate comprises depositing a metal

selected from the group consisting of aluminum, titanium, silver, platinum, and molybdenum (Paragraph [0047]).

Re claim 23, Farnworth et al. disclose depositing an electrically conductive material (36) over the surface of the semiconductor substrate and into the one or more depressions; and planarizing the electrically conductive material at least to the surface of the semiconductor substrate to laterally isolate the electrically conductive material in the one or more depressions (Page 4, Paragraph [0033]).

Claims 8, 18 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oswald et al. as applied to claims 1, 4, 11, 14 and 22 above, and further in view of Wenham et al. (6,429,037).

Oswald et al. does not disclose wherein providing the semiconductor substrate comprises providing the semiconductor substrate and forming a film over at least a portion of the surface of the semiconductor substrate, and wherein ablating one or more depressions in the surface of the semiconductor substrate comprises ablating the one or more depressions at least partially through the film.

Re claims 8, 18 and 25, Wenham et al. disclose ablating one or more depressions in a surface of the semiconductor substrate (11) to define an electrical pathway; wherein providing the semiconductor substrate comprises providing the semiconductor substrate and forming a film (12) over at least a portion of the surface of the semiconductor substrate, and wherein ablating one or more depressions in the

surface of the semiconductor substrate comprises ablating the one or more depressions at least partially through the film (Col. 4, lines 20-35).

It would have been within the scope of one of ordinary skill in the art to combine the teachings of Oswald et al. and Wenham et al. to enable the film formation step of of Wenham et al. to be performed in the process of Oswald et al. because the film can be used as a mask for patterning where the contact is to be formed (Col. 4, lines 20-23).

Claim 9, 20 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oswald et al. in view of Wenham et al. as applied to claims 8, 18 and 25 above, and further in view of Farnworth et al. (2004/0043607).

The combination of Oswald et al. and Wenham et al. does not disclose planarizing the electrically conductive material at least to the surface of the semiconductor substrate to laterally isolate the electrically conductive material in the one or more depressions.

Re claims 9, 20 and 26, Farnworth et al. disclose depositing an electrically conductive material (36) over the surface of the semiconductor substrate and into the one or more depressions; and planarizing the electrically conductive material at least to the surface of the semiconductor substrate to laterally isolate the electrically conductive material in the one or more depressions (Page 4, Paragraph [0033]).

It would have been within the scope of one of ordinary skill in the art to combine the teachings of Oswald et al., Wenham et al. and Farnworth et al. to enable the planarizing step of Farnworth et al. to be performed in the process of the combination

because it will remove the excess metal leaving the depressions filled with inlaid metal forming the wiring ([0033]).

Allowable Subject Matter

Claims 3,7,10,13,17,19,21,24 and 27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michelle Estrada whose telephone number is 571-272-1858. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Olik Chaudhuri can be reached on 571-272-1855. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2800.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michelle Estrada
Examiner
Art Unit 2823

ME
March 21, 2005